

FOR
FCC
USE
ONLY

FCC 307

**APPLICATION FOR EXTENSION OF BROADCAST
CONSTRUCTION PERMIT OR TO REPLACE EXPIRED
CONSTRUCTION PERMIT**

FOR COMMISSION USE ONLY

FILE NO.

(CAREFULLY READ INSTRUCTIONS BEFORE FILLING OUT THIS FORM)

1. APPLICANT NAME (Last, First, Middle Initial)		
MAILING ADDRESS (Line 1) (Maximum 35 characters)		INTERNET ADDRESS
CITY	STATE OR COUNTRY (if foreign address)	ZIP CODE
TELEPHONE NUMBER (include area code)	CALL LETTERS OR OTHER FCC IDENTIFIER (IF APPLICABLE)	
2. Is a fee submitted with this application? <input type="checkbox"/> Yes <input type="checkbox"/> No		
If Yes, complete FCC Form 159 (FCC Remittance Advice)		
If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114).		
<input type="checkbox"/> Governmental Entity <input type="checkbox"/> Noncommercial educational licensee <input type="checkbox"/> Other (Please explain):		

3. IDENTIFICATION OF CONSTRUCTION PERMIT FOR WHICH AN EXTENSION/REPLACEMENT IS SOUGHT	
Legal name of Licensee/Permittee	<input type="checkbox"/> Main Transmitter <input type="checkbox"/> Auxiliary Transmitter
Original File Number of Outstanding Construction Permit	Call Sign
This construction permit is for (check one):	
<input type="checkbox"/> Modification of licensed facilities <input type="checkbox"/> A new unbuilt station	
Frequency	Channel No.
Community of License	
State	

4. Are the representations, including financial and site availability certifications, legal qualifications and environmental, contained in the initial application for construction permit still true and correct?

☐ Yes ☐ No

If No, provide details.

Exhibit No.

5. If there are pending applications concerning the station, (e.g., major or minor modifications, assignments, etc.) provide a list of the relevant file numbers.

Exhibit No.

SEE INSTRUCTION "E" BEFORE COMPLETING QUESTIONS 6-10.

6. IDENTIFICATION OF THE MOST RECENT CONSTRUCTION PERIOD.

a. On what date does/did the subject construction permit most recently expire?

b. What was the grant date of the most recent authorization that led to the most recent expiration?

c. If the subject permit has expired, provide an explanation for the failure to file a timely extension application.

Exhibit No.

<p>7. Was construction completed during the <i>most recent construction period</i>?</p> <p style="margin-left: 40px;">a. If Yes, on what date was construction completed?</p> <p style="margin-left: 40px;">b. If Yes, and an application for a License to Cover (<i>see</i> 47 C.F.R. Section 73.3536) has not been filed provide details.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No <div style="border: 1px solid black; padding: 2px; text-align: center;">Exhibit No.</div>
<p>8. Was substantial progress made during the <i>most recent construction period</i>?</p> <p style="margin-left: 40px;">If Yes, provide details.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No <div style="border: 1px solid black; padding: 2px; text-align: center;">Exhibit No.</div>
<p>9. Was construction delayed by circumstances that occurred during the <i>most recent construction period</i> which were clearly beyond the permittee's control?</p> <p style="margin-left: 40px;">a. If Yes, provide details of the circumstances which were clearly beyond the permittee's control.</p> <p style="margin-left: 40px;">b. If Yes, provide details of the permittee's diligent efforts to overcome such circumstances.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No <div style="border: 1px solid black; padding: 2px; text-align: center;">Exhibit No.</div> <div style="border: 1px solid black; padding: 2px; text-align: center;">Exhibit No.</div>

10. Since the filing of the applicant's last application, has an adverse finding been made or final action been taken by any court or administrative body with respect to the applicant or parties to the applicant in a civil or criminal proceeding, brought under the provisions of any law relating to the following: any felony; mass media-related antitrust or unfair competition; fraudulent statements to another governmental unit; or discrimination?

☐ Yes ☐ No

If the answer is Yes, provide a full disclosure concerning the persons and matters involved, including an identification of the court or administrative body and the proceeding (by dates and file numbers), and the disposition of the litigation. Where the requisite information has been earlier disclosed in connection with another application or as required by 47 U.S.C. Section 1.65(c), the applicant need only provide: (i) an identification of that previous submission by reference to the file number in the case of an application, the call letters of the station regarding which the application or Section 1.65 information was filed, and the date of the filing; and (ii) the disposition of the previously reported matter.

Exhibit No.

The APPLICANT hereby waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

The APPLICANT acknowledges that all the statements made in this application and attached exhibits are considered material representations and that all the exhibits are a material part hereof and are incorporated herein as set out in full in the application.

CERTIFICATION

11. By checking Yes, the applicant certifies, that, in the case of an individual applicant, he or she is not subject to a denial of federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862, or, in the case of a non-individual applicant (e.g., corporation, partnership or other unincorporated association), no party to the application is subject to a denial of federal benefits that includes FCC benefits pursuant to that section. For the definition of a "party" for these purposes, see 47 C.F.R. Section 1.2002(b).

☐ Yes ☐ No

12. I certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith.

Name	Signature
Title	Date

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503))

INSTRUCTIONS FOR FCC 307

APPLICATION FOR EXTENSION OF BROADCAST CONSTRUCTION PERMIT OR TO REPLACE EXPIRED CONSTRUCTION PERMIT

- A. This form is to be used in all cases when applying for additional time to construct a broadcast station or when applying for a construction permit to replace an expired permit. See 47 Code of Federal Regulations (C.F.R.) §§ 73.3534 and 73.3598.
- B. **BE SURE ALL NECESSARY INFORMATION IS FURNISHED AND ALL PARAGRAPHS ARE FULLY ANSWERED. IF ANY PORTIONS OF THE APPLICATION ARE NOT APPLICABLE, SPECIFICALLY SO STATE. DEFECTIVE OR INCOMPLETE APPLICATIONS MAY BE RETURNED WITHOUT CONSIDERATION.**
- C. Prepare an original and one copy of this form and all exhibits. Number exhibits serially in the space provided. The original copy of FCC Form 307 must be personally signed by the applicant, if the applicant is an individual; by one of the partners, if the applicant is a partnership; by an officer, if the applicant is a corporation; by a member who is an officer, if the applicant is an unincorporated association; by such duly elected or appointed officials as may be competent to do so under the laws of the applicable jurisdiction, if the applicant is an eligible governmental entity; or by the applicant's attorney in case of the applicant's physical disability or absence from the United States. The attorney shall, in the event s/he signs for the applicant, separately set forth the reasons why the application is not signed by the applicant. See 47 C.F.R. § 73.3513. This application and all required exhibits should be filed with the Federal Communications Commission in the manner and at the location specified in 47 C.F.R. § 0.401. Filing date is determined by the date this application is received by the FCC.
- D. By law, the Commission is required to collect charges for certain of the regulatory services it provides to the public. Generally, applicants seeking authority for extension of time to construct or the replacement of an expired permit for a commercial AM, FM or full-service TV broadcast station are required to pay and submit a fee with the filing of FCC Form 307. However, governmental entities, which include any possession, state, city, county, town, village, municipal organization or similar political organization or subpart thereof controlled by publicly elected and/or duly appointed public officials exercising sovereign direction and control over their respective communities or programs, are exempt from the payment of this fee. Also exempted from this fee are licensees and permittees of noncommercial educational radio and television broadcast stations and certain other broadcast stations (e.g., low power television, translator, booster, auxiliary and International facilities). To avail itself of any fee exemption, the applicant must indicate its eligibility by checking the appropriate box in Question 2. FCC Form

307 applications NOT involving the payment of a fee must be hand-delivered or mailed to the FCC's Washington, D. C. offices. See 47 C.F.R. § 0.401(a). Do not send fee exempt applications to Mellon Bank, because it will result in a delay in processing the application.

Effective 12/15/97, the FCC Form 159 must be submitted with any application subject to a fee received at the Commission.

Applicants who wish to pay for **more than one application in the same lockbox** with a single payment can do so by submitting FCC Form 159. When paying for multiple filings in the same lockbox with a single payment instrument, you must list each filing as a separate item on FCC Form 159 (Remittance Advice). If additional entries are necessary, please use FCC Form 159C (Continuation Sheet).

The Commission's fee collection program utilizes a U.S. Treasury lockbox bank for maximum efficiency of collection and processing. All FCC Form 307 applications, which require the remittance of a fee or for which a waiver or deferral from the fee requirement is requested, must be submitted to the appropriate post office box address. See 47 C.F.R. § 0.401(b). A listing of the required fee and the address to which FCC Form 307 should be mailed or otherwise delivered is also set forth in the "Mass Media Services Fee Filing Guide" which is obtained by writing to the Federal Communications Commission, Form Distribution Center, 9300 E. Hampton Drive, Capital Heights, Maryland 20743, by calling (800) 418-FORM and leaving your request on the answering machine provided for this purpose, by downloading from the Commission's Internet site at <http://www.fcc.gov> or by calling the Commission's fax-on-demand system at (202) 418-0177. The Fee Filing Guide also contains a list of the Fee Type Codes needed to complete this application.

Payment of any required fee can be made by check, bank draft, money order or credit card payable to the Federal Communications Commission, denominated in U.S. dollars, and drawn upon a U.S. financial institution. No postdated, altered or third-party checks will be accepted. **DO NOT SEND CASH.** Checks dated six months or older will not be acceptable for filing.

Payment of application fees may also be made by Electronic Payment, provided prior approval has been obtained from the Commission. Applicants interested in this option must first contact the Billings and Collections Branch at (202) 418-1995 to make the necessary arrangements.

Parties hand-delivering FCC Form 307's may receive dated receipt copies by presenting copies of the applications to the acceptance clerk at the time of delivery. For mailed-in applications, a "return copy" of the application can be furnished, provided the applicant clearly identifies the "return copy" and attaches it to a stamped, self-addressed envelope. Only one piece of paper per application will be stamped for receipt purposes. The "return copy" should be placed on top of the application package. Failure to do so may result in your copy not being returned.

For further information regarding the applicability of a fee, the amount of the fee or the payment of the fee, refer to the "Mass Media Services Fee Filing Guide."

E. INSTRUCTIONS FOR QUESTIONS 6-10

Question 6. An application for extension of time to construct should be filed at least 30 days prior to the expiration of the construction permit. See 47 C.F.R. § 73.3534(a). Any application that is filed after the permit has expired must be filed no later than 30 days after expiration and must be accompanied by an explanation for the failure to file a timely extension application. See 47 C.F.R. § 73.3534(e). Any application filed later than 30 days after the permit has expired must be accompanied by a request for waiver of 47 C.F.R. § 73.3534(e).

The "most recent construction period" is the period between the grant date and the expiration date of the most recent extension, replacement or modification of construction permit. If this construction permit has never been extended, replaced or modified, the initial term of the construction permit is the most recent construction period. **This application for extension or replacement will be judged according to progress made, or circumstances which occurred, during the most recent construction period.** See *Rainbow Broadcasting Company*, 11 FCC Rcd 1167 (1995).

Question 7. Construction is "complete" when the facilities have been constructed in accordance with the terms of the construction permit and equipment testing is underway. Additionally, the applicant must be looking toward prompt filing of a license application. See 47 C.F.R. §§ 73.3534(b)(1) and 73.1620.

Question 8. An applicant has made "substantial progress" in the construction of the authorized facilities when it can demonstrate that equipment is on order or on hand, the site is acquired and cleared and construction is proceeding toward completion. All assertions of substantial progress must be accompanied by specific details and documentation of progress (i.e., equipment ordered, equipment delivered, extent of installation) made during the most recent construction period. See 47 C.F.R. § 73.3534(b)(2).

Question 9. An assertion that no progress has been made for reasons clearly beyond the permittee's control (such as delays caused by governmental budgetary processes and zoning problems) must be accompanied by a demonstration that the permittee has taken all possible steps to expeditiously resolve the problem and proceed with construction. See 47 C.F.R. § 73.3534(b)(3). An applicant must provide documentation that demonstrates a specific incapacity and must show consequences to the station's construction plan which persist despite the

permittee's best efforts to proceed under the circumstances. See *Carolyn S. Hagedorn*, 11 FCC Rcd 1165 (1996).

Question 10. Commission policies and litigation reporting requirements for broadcast station applicants are directed to focusing on misconduct which violates the Communications Act or a Commission rule or policy and on certain specified non-FCC misconduct. In responding to Question 10, applicants are advised that the parameters of the Commission's policies and requirements regarding character qualifications are fully set forth in *Character Qualifications*, 102 FCC 2d 1179 (1985), *reconsideration denied*, 1 FCC Rcd 421 (1986), *as modified*, 5 FCC Rcd 3252 (1990) and 7 FCC Rcd 6564 (1992).

For the purpose of this question, the term "parties to the application" includes any individual or entity whose ownership or positional interest in the applicant is cognizable under the Commission's multiple ownership rules. See in this regard *Report and Order* in MM Docket No. 83-46, 97 FCC 2d 997 (1984), *reconsideration granted in part*, 58 RR 2d 604 (1985), *further modified on reconsideration*, 61 RR 2d 739 (1986).

FCC NOTICE TO INDIVIDUALS REQUIRED BY THE PRIVACY ACT AND THE PAPERWORK REDUCTION ACT

The FCC is authorized under the Communications Act of 1934, as amended, to collect the personal information we request in this form. We will use the information you provide to determine whether approving this application is in the public interest. If we believe there may be a violation or potential violation of a FCC statute, regulation, rule or order, your application may be referred to the Federal, state or local agency responsible for investigating, prosecuting, enforcing or implementing the statute, rule, regulation or order. In certain cases, the information in your application may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; or (b) any employee of the FCC; or (c) the United States Government, is a party to a proceeding before the body or has an interest in the proceeding. In addition, all information provided in this form will be available for public inspection.

If you owe a past due debt to the federal government, any information you provide may also be disclosed to the Department of Treasury Financial Management Service, other federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide this information to these agencies through the matching of computer records when authorized.

If you do not provide the information requested on this form, the application may be returned without action having been taken upon it or its processing may be delayed while a request is made to provide the missing information. Your response is required to obtain the requested authorization.

We have estimated that each response to this collection of information will take, on average, 2 hours and 30 minutes. Our estimate includes the time to read the instructions, look through existing records, gather and maintain required data, and actually complete and review the form or response. If you have any comments on this estimate, or on how we can improve the collection and reduce the burden it causes you, please write the Federal Communications Commission, AMD-PERF, Paperwork Reduction Project (3060-0407), Washington, D. C. 20554. We will also accept your comments via the Internet if you send them to jboley@fcc.gov. Please DO NOT SEND COMPLETED APPLICATION FORMS TO THIS ADDRESS. Remember - you are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid OMB control number or if we fail to provide you with this notice. This collection has been assigned an OMB control number of 3060-0407.

THE FOREGOING NOTICE IS REQUIRED BY THE PRIVACY ACT OF 1974, P.L. 93-579, DECEMBER 31, 1974, 5 U.S.C. 552a(e)(3), AND THE PAPERWORK REDUCTION ACT OF 1980, P.L. 95-511, DECEMBER 11, 1980, 44 U.S.C. 3507